



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 1

ELECTIONS

Qualification for membership of a local authority

19 Qualification for election and holding office as a member of a local authority in Wales

- (1) Section 79 of the 1972 Act is amended as follows.
- (2) In subsection (1), after “Union” insert “or, in the case of a local authority in Wales, a qualifying foreign citizen”.
- (3) After subsection (2C) insert—

“(2D) For the purposes of this section, a person is a qualifying foreign citizen if the person—

(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and

(b) either—

(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(2E) But a person is not a qualifying foreign citizen by virtue of subsection (2D) (b)(i) if the person does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).”